



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

FEBRUARY 9, 2010

PRESENT: Tanda, Mueller, Escobar, Hart, Koepp-Baker, Liegl, Moniz

ABSENT: None

LATE: Robert Escobar

STAFF: Community Development Director (CDD) Molloy Previsich, Planning Manager (PM) Rowe, Development Services Technician (DST) Bassett, City Attorney Wan, and Traffic Consultants Sohrab Rashid and Daniel Rubins.

Chair Tanda called the meeting to order at 7:00 p.m., inviting all present to join in reciting the pledge of allegiance to the U.S. flag.

DECLARATION OF POSTING OF AGENDA

Development Services Technician Bassett certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Tanda opened, and then closed, the floor to public comment for matters not appearing on the agenda as none were in attendance indicating a wish to address such matters.

MINUTES:

January 26, 2010

COMMISSIONERS MUELLER AND KOEPP-BAKER MOTIONED TO APPROVE THE JANUARY 26, 2010 MINUTES.

THE MOTION PASSED (6-0-1-0) WITH THE FOLLOWING VOTE: AYES: UNANIMOUS; NOES: NONE; ABSTAIN: LIEGL; ABSENT: NONE.

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PUBLIC
HEARINGS:

1) SUBDIVISION,
SD-09-02/
DEVELOPMENT
AGREEMENT,
DA-09-02/
DEVELOPMENT
SCHEDULE,
DS-09-02:
CLAYTON-
O'BRIEN:

A request for the approval of a tentative map for the subdivision and development agreement for an approximately 3.6 acre parcel into seven parcels for residential development. The project is located on Clayton Ave, north of Peebles Ave. A Negative Declaration is proposed. (APN 726-48-012)

Liegl excused himself due to a possible conflict of interest.

Rowe presented his staff report.

Mueller: We should get the conversion of LED street lights accomplished in the area of the Clayton-O'Brien project as soon as possible so that they are in place when this project gets started.

Rowe: That should be done soon, because there is funding in place.

Tanda opened the floor to public comment.

Bill McClintock of MH Engineering appeared on behalf of the Clayton-O'Brien group.

McClintock: The Tentative Map for the project was submitted on time. The subdivision map was also filed in time. We would like to ask for more time on the development schedule. The deadline is too tight to be able file the Site Review, submit for Plan Check and obtain Building Permits by May 1st. We are requesting an additional six months, so that there is an appropriate amount of time to do a good job.

Tanda: (Directed to Jim Rowe) Could you comment on the appropriateness of the request for a six month extension?

Rowe: That extension would be appropriate.

Mueller: Does it need to be for six months?

Rowe: It could be for three.

Mueller: Would that be just for the first phase?

McClintock: Yes, that would be for the first phase and would adjust all the time lines by six months.

COMMISSIONERS MUELLER AND MONIZ MOTIONED TO APPROVE THE NEGATIVE DECLARATION.

THE MOTION PASSED (6-0-1-0) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: LIEGL.

COMMISSIONERS MUELLER AND MONIZ MOTIONED TO APPROVE AN EXTENSION OF SIX MONTHS FOR THE FIRST PHASE OF THE PROJECT.

THE MOTION PASSED (6-0-1-0) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: LIEGL.

COMMISSIONERS MUELLER AND MONIZ MOTIONED TO APPROVE THE TENTATIVE MAP.

THE MOTION PASSED (6-0-1-0) WITH THE FOLLOWING VOTE:

AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: LIEGL.

**2) GENERAL PLAN
AMENDMENT,
GPA-09-09: CITY
OF MORGANHILL
CIRCULATION
ELEMENT
UPDATE GPA &
RELATED
ZONING CODE
SECTION 18.48.125
AMENDMENT,
AND
CONSIDERATION
OF FINAL
ENVIRONMENTAL
IMPACT REPORT
(EIR):**

The proposed Circulation Element GPA Update identifies planned local roadway improvements necessary to provide capacity for projected increases in traffic through 2030, and proposes a Tiered Level of Service (LOS) Policy Amendment and a new “Smart Growth” transportation planning goal and policies.

Previsich presented her staff report and noted that it has been about ten years since the last update to the circulation element. The traffic model was much less precise than the new model the City has developed, and development projections have now been updated. Coyote Valley is no longer assumed. The net result is that a lot of the roadways only need to be two lanes by 2030, with the exception of Tennant Ave, which actually needs to be six lanes on a portion west of US 101. The net result is a planned reduction of 43 miles of roadway. The policy reasons are consistent with resource protection, and would allow the transportation monies to be spread out over other improvements.

The narrowing of Monterey Road is not proposed at this time. It is presently a four-lane road. The Environmental Impact Report (EIR) does show what would happen if it were to be narrowed to two lanes. It would cause four other intersections to be operating below service.

Where areas of roads are extended, agricultural lands would be lost, and the EIR also provides information about other impacts and mitigation measures.

Based on comments from the public, Planning staff, and consultants, this is the final draft proposed text for the Circulation Element. Nine factors to be focused on are in the packet. The recommendation is that the Planning Commission examine and make its recommendations to the City Council.

Mueller: Is this the Environmental Impact Report that would support change to Walnut Grove Drive? Has this been noticed appropriately for that?

Previsich: This report provides a level of documentation, but there will be a separate CEQA document later.

Mueller: There is a level of discomfort within the Commission of going to a Level E

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standard with some of our intersections.

Tanda then opened the floor to public hearing.

Geoff Harbell, a Morgan Hill resident, appeared to address the information from the Environmental Impact Report regarding the extension of Santa Teresa

Harbell: I would like to recommend that the Santa Teresa-Hale extension be moved into the second phase or be combined into the DeWitt project, if it is found necessary in the future.

Don Dey appeared as a resident of MH to discuss downtown circulation.

Dey: Downtown could be a great destination point. Right now the downtown, particularly Monterey, is really a traffic corridor. The vision for Monterey is one that would be pedestrian oriented. Two lanes between Dunne Avenue and Main Avenue are all that is necessary. Angled parking on the street would also be successful to allow for both pedestrian interaction and for the success of businesses. The idea of a two-lane section of Monterey Road in the downtown area is a good one. Additionally, Monterey needs to be opened up to cross traffic. The friendlier you make it, the more enjoyable and used it becomes. Also, if you're trying to keep overflow traffic out of the nearby neighborhoods, a Level of Service (LOS) policy that allows for Service Levels E and F is the wrong way to go.

Dennis Kennedy appeared as a resident of MH to support the EIR and proposed Circulation Element.

Kennedy: Kathy and the Consultants have done a great job. Having a lot of two lane arterials does work, but it means they need to be built to good standards. In terms of sustainable smart growth, our focus should be less on cars and more on bicycles, walking, etc. I support having a lower level of service in some intersections, because thriving pedestrian downtowns do not have high speed traffic. Also, regarding bicycle plans, I would like to see something developed that is more user friendly than the current map in the Element. I would also like to see main bike routes posted at the Coyote Creek Trail, etc., for people to use and see.

Mueller: With the VTA experience that you have, when do you expect us to get better transit service than what we presently have in Morgan Hill? It has done nothing but deteriorate for a year.

Kennedy: When the economy turns around, the situation will improve. But there needs to be less of a focus on sales tax revenue. That is too unstable and constantly in flux. A gasoline tax might be one possible solution.

Mueller: Then we can't plan on mass transit as a way of making downtown less congested.

Tanda then called for a break at 8:00 pm and then reconvened at 8:10 pm.

Dick Oliver of Dividend Homes appeared to address Section No. 10 of the

Circulation Element in relation to Cochrane Road.

Oliver: When Mission Ranch was being developed, the south side of Cochrane Road, between Mission View and Peet, was built to allow for four lanes. It has been modified several times, so that now the intersection at Peet and Cochrane is awkward. The stop lines are set way back, so that you cannot see the oncoming traffic. It is risky as a result. If Cochrane goes from four lanes back to two, those transitions will need to be looked at in order to get them right and alleviate the present design problems. I support the EIR and the proposed Circulation Element.

Don Dey appeared as a representative of the City of Gilroy.

Dey: I would like to talk about two issues that Gilroy has concerns with. The first issue is implementing strategies for access to and from areas outside Morgan Hill. Gilroy sees the report as suggesting that Morgan Hill does not want Gilroy residents coming through it. Gilroy takes exception to this. We have worked hard to come together with Morgan Hill in the past. There are certain requirements to keep the arterials flowing between the two cities. The recommendations completely defeat the cooperation the two cities were trying to achieve to pull the two areas together. If there had actually been "cooperation" between the cities, as suggested, I would not be appearing. Gilroy is also concerned with air quality, particularly with regard to Service Levels E and F. The report only looked at Level D when it said that "air quality will get better." More congestion caused by Service Levels E and F means more pollution. Gilroy is concerned about that.

Tanda: What does the City of Gilroy want?

Dey: Gilroy would like to see a level of Service "D" established as much as possible. They would like arterials functioning as arterials. They want traffic coming through Morgan Hill to have more options. Right now Gilroy residents have to travel through all Service Level E corridors. Some Gilroy residents travel Monterey Road every day. Morgan Hill needs to consider a corridor that makes more sense. The purpose of arterials is to allow better flow, which makes it easier for the communities to co-exist.

Rocke Garcia of Glenrock Builders appeared to support the two-lane, multi-modal on Santa Teresa-Hale.

Garcia: Glenrock developed the Spring Hill area. We have held that property for many years. We would also like to see Santa Teresa-Watsonville Road treated as a multi-modal next to the Blackrock development.

Tanda closed Agenda Item No. 2 to public hearing and opened the discussion regarding the nine recommendations in the report to the commissioners.

Item 1) Widths of corridors.

Escobar: Is the criteria specific enough to allow for future expansion, if necessary?

Tanda: New street standards would have to be developed and that would happen

before any future expansion would take place. Ninety feet for a future four-lane road could be a bit tight.

Creer: Actual street standards will need to be developed as an implementation item.

Item 2) Implementation Items for the Circulation Element.

Tanda: What is the purpose in the multi-modal option of having an 8 foot bike/pedestrian path in a linear park and also a 6 foot bike lane? Is that a mistake?

Previsich: No, it was intended to allow maximum flexibility for all modes of travel.

Creer: We've discussed the need for emergency parking for safety purposes so the bike lanes could help provide for that.

Tanda: In this case, you take out the median island and end up with marginal travel lanes. It would work, but when developing the street standards it may be wise to increase the street widths.

Mueller: Regarding street standards, I am very concerned that we're not going to have enough right-of-way. We're going to need wider arterials. I'm concerned that this document will not allow us to maintain those widths in the future.

Item 3) Scheduling of Improvements.

Previsich: One of the objectives of the Circulation Update was to get a sense of timing. It might be worth inserting a chart that would define which projects would be in the first phase and which would be in the second. We modeled 2015, but it might end up being closer to 2020. One public speaker asked for the Hale-Santa Teresa widening to be moved to the second phase.

Mueller: I would like to see the City create a priority list of improvements and make reference to it in the General Plan, but not put the list in the Plan itself. That would help us retain flexibility. I would also like to see industry standards defined in the General Plan but maintain a fiscal plan separately for funding and scheduling.

Tanda: I agree. It is too cumbersome to put those items in the General Plan.

Item 4) Hale-Santa Teresa Corridor.

Previsich: Under the report, it was proposed and modeled that the Hale-Santa Teresa corridor be completed by 2015. A variety of public opinions were received, with some recommending it not be done at all. Others suggested it be handled in the second phase.

Liegl: What is the impact on the other corridors if the Hale-Santa Teresa corridor is not completed by 2015?

Previsich: If it is not constructed at all, then other streets get more traffic, but none of them drop below the recommended service levels. The primary goal is to get a

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north-south arterial and to take away traffic from other local streets such as DeWitt Avenue. It would not have to be done by 2015, but it is recommended by 2030.

Liegl: But we already have some streets falling to a Level F.

Previsich: Only if we narrow Monterey Road to two lanes.

Tanda: Maybe we could address some of those concerns in the next item.

Item 5) Levels of Service.

Previsich: We're not proposing to create congested intersections to keep out regional or sub-regional travel. The roadway configurations are intended to encourage travel demands throughout Morgan Hill. But we are supportive of having Highway 101 accommodate as much of that traffic as possible. Highway 101 is proposed to be widened to eight lanes by 2030. With regard to the level of service policy, the consultants reviewed the level of service standard and considered whether to suggest any changes. They did suggest broadening Service Level E and exempting downtown from Service Level standards. The Circulation Update was intended to study the possibility, not to encourage congestion. It was found that most of the intersections did not go to level E but remained at Level D. The policy that is proposed is intended to protect local neighborhood streets and only allow E levels during certain peak hours. Highway ramps are currently allowed at level E.

Mueller: We need to talk about that language, because the all of the busiest intersections in town, those from Dunne to Main and Del Monte to Depot (the core area), would become a Level F.

Previsich: This report was intended to do a comprehensive study and to establish policy. It would exempt downtown from Level of Service standards. But it doesn't preclude us from establishing a higher level of service than shown in the study. With the EIR and an F standard for downtown, even if it does go to F, developers would still not be required to perform impact studies, because we'd be saying we're okay with that level.

Mueller: Yes, but it would be all on the city's dime.

Previsich: True, but we would look to RDA funds to do that. The emphasis is to create connectivity. There are a lot of improvements that are still needed. There is a lot of transportation work to be done. So allow a little more congestion during the peak hours and create incentive to use arterials, and don't make downtown as friendly for accommodating vehicular traffic.

Liegl: We can't allow any of our roads to go to Level F. We are only going to grow in the future and we should not give up our ability to do that by accepting a Level F.

Sue: The other day it took three rotations to get through the light at Main and Monterey and that wasn't during peak hours. That was due to school traffic. That shows we're not looking at growth and development appropriately. We're not going to be able to handle the problems. If we assume that Level F is okay, then what are

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we saying to the school kids? We must try to mitigate or we fail. If we don't acquire right-of-way now, we're never going to get it.

Moniz: I do support Level F in the downtown.

Hart: I agree with exempting downtown. We just need to get the downtown area running. Level E is acceptable at peak hours.

Escobar: Exempting downtown is prudent, but we need to be prepared to purchase right-of-way sooner rather than later. At the same time, we don't want to send the message that we're giving up on alternate modes of travel. We already have a controlled growth measure in place. It is unlikely that RDCS is going away in the near future. Level E is a concern, but it is one we can deal with. Service Level E at certain intersections is not preventing folks from coming off the freeway.

Mueller: If we allow Level E service, the only people we're penalizing are Morgan Hill residents. We want people to come off the freeway and use our shopping, but those streets are going to be the worst traffic at those times.

Escobar: I disagree. The people going home at night are not necessarily the ones who are coming off the highway to shop. I agree that we need to provide right-of-way in key areas, but I don't share the doomsday level of concern.

Tanda: There are about 30 signalized intersections in Morgan Hill. What we're really doing when we look at the math, is that we're taking the majority of our signals from a D to an E level. In 2030, actual levels are mostly better than E's. Life will go on past 2030. Coyote Valley will develop and Gilroy will continue to develop. At some point we're going to exceed the design standards. That's a concern. I think we have to consider what goes on beyond 2030. So the key will be to make sure we have the right-of-way now. I'd like to hear from the consultants. Is this going to really work? It seems what we're saying is, "Don't build it and people won't come." There aren't many other cities that have exempted their downtowns from Levels of Service. Is that what we want?

Escobar: There are very few downtowns that have four lanes going through them—Los Gatos, Los Altos, Saratoga, Lodi, Visalia, Folsom, Livermore, Palo Alto, Burlingame, San Mateo, Redwood City, Campbell and Mountain View—to name a few, are all two lanes through downtown. They might have problems, but they have vibrant downtowns due to their revitalizing efforts.

Tanda: If we have a level of service that is congested, will that deter people from coming through the area?

Consultant Rashid: The purpose of the adjusted level of service is not to stop traffic. The policy is to develop or set a community standard. It is up to the city to decide what that standard should be. One option is to eliminate LOS E at some intersections. At some future point there would have to be a transition to deal with increased congestion.

Mueller: We need to not be overly optimistic about mass transit taking people from

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Morgan Hill to work in Silicon Valley. In many cases it's just not possible.

Rashid: When growth resumes, funding will come back, especially with regards to sales tax. Transit service will also resume when growth does.

Escobar: The economy is important for public transit in that VTA relies heavily on sales tax. When the economy resumes, it will help but it won't restore the losses that have been incurred. There are different ways to fund public transit. There could be grants or other means that could facilitate transit needs. In 30 to 40 years, we're not going to be viewing transit the same way we do now. With Silicon Valley being an area of innovation, some programs will have to be developed to help deal with growth and transit needs. Changes will enhance transit funding and transit programs offered by cities.

Liegl: We're building a beautiful downtown, yet we're discouraging people from coming due to horrendous traffic and parking. We have to look at that part of it also. I don't think we can live with an F Level of Service, now or at any time.

Tanda: We need to have more intersections designed to a D Level of Service, rather than an E or F. We should always design them at a higher level.

Previsich: It seems you're suggesting we make a compromise by reducing the number of intersections being allowed at a level E design, and only allow them in the downtown area and certain freeway areas.

Tanda: Correct.

Sue: Is there a potential that we if exempt the downtown, that it could be studied at certain intervals to look at congestion and service levels and then updated accordingly?

Previsich: That is the policy already provided for in this Circulation Update.

Mueller: We've already adopted overriding considerations to allow for downtown units to be built. For all those units there is no traffic mitigation required. Hopefully, in the next five years some of those units will be built and then we can see the impacts better.

Previsich: The policy question is what you want to do with your downtown intersections.

Escobar: I am willing to accept a compromise as to the level of service through 2010. We do want people to have access to the downtown but we don't want people using it for their commute. We want it to be a destination point. So exempting downtown seems appropriate.

Mueller: It seems congestion is the nature of downtown. But that makes access a real point of concern. We don't want to deter people from going there. Using Santana Row as an example, Stevens Creek Boulevard runs right next to it and the access really helps it as a destination point.

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Previsich: Look at pages 3H and 3I. The existing banks at Monterey and Main are encouraged to redevelop in the future when growth resumes but it doesn't make sense to have a higher LOS standard if redevelopment is not going to occur anytime soon.

Tanda: It seems we're spinning our wheels. Let's agree to the Service Level D for everything outside of the downtown core except for the two signalized intersections at the Highway 101 ramps and maybe some of the lights that are in very close proximity. It would be those intersections identified by 4, 5, 6, 7, 29, 30, 31, 32, 36, 37, 38 and 39. Projections show that almost none of these are going to be a level E anyway, even by 2030.

Previsich: We could agree to allow E at the boundaries to downtown, and then F through the downtown area. I would also suggest allowing Monterey and Central as an E or F.

Mueller: From a student standpoint, dealing with the Monterey-Central intersection is something that should be done right away for the safety of the students.

Tanda: Working towards a compromise, the intersections could all be effectively designed as a D. The only ones that would be exempted would be the two freeway corridors and the downtown.

Moniz: What does Dunne and Monterey operate at right now?

Previsich: Worst case scenario, with Monterey being narrowed to two lanes, it would still not reach an F.

Mueller: We should still have a trigger for the downtown area, so that a review could happen as necessary if volume to capacity seems to be getting out of control.

Rashid: The intent of this would be that when a development comes in, you do an analysis. But it seems you're suggesting that there be a specific point where the level of downtown development would cause a review.

Tanda: We have to balance between livability, walk ability and mobility. Eventually, the citizens will tell us if we're at the right levels. That will be the control.

Tanda: I have two questions. The report mentions making a connection between Monterey Road and Hale Avenue. How will that be done?

Rowe: We anticipate an application next year that would make this connection and would probably be south of the current Llagas-Hale intersection.

Mueller: Policy 2B, should be reworded to state that it won't promote congestion in neighborhoods. Also, under policy 3D, third bullet, there is language regarding exceptions to the level of service that shouldn't be in there.

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Previsich: It is in there because it complements the policies and actions in Goal 9 by providing reasons why an E level might be allowed in the future. The language was suggested by the CEQA consultants to make clear why D levels wouldn't be at every intersection in the city.

Mueller: It sounds like reasons for not doing mitigation measures.

Previsich: Correct, it gives a legal basis as to why the City is differentiating between Level D versus Level E or F in certain areas. It's not to find loopholes; it's to establish policies.

Moniz: Maybe we should have a recommendation as to what triggers an EIR for downtown development, so that by the time it gets to Council we have a definitive answer.

Previsich: The Circulation Element is structured to last for a long time. How long the EIR lasts will depend on how closely actual development matches our projections. It will require continual monitoring.

Wan: Each project will require review to see if assumptions are still correct.

Tanda: Thank you to all those who participated in this report. Unless there are any other comments, do we have consensus?

Mueller: It seems we've made a lot of changes.

Previsich: The changes made are understood and can be incorporated into the Element and your recommendations to the City Council.

[THERE WAS A CONSENSUS OF THE COMMISSION.]

COMMISSIONERS ESCOBAR AND HART MOTIONED THAT THE COUNCIL ADOPT A RESOLUTION CERTIFYING THE LANGUAGE IN THE ENVIRONMENTAL IMPACT REPORT.

**THE MOTION PASSED (6-1-0-0) WITH THE FOLLOWING VOTE:
AYES: TANDA, ESCOBAR, HART, KOEPP-BAKER, LIEGL, MONIZ;
NOES: MUELLER; ABSTAIN: NONE; ABSENT: NONE.**

COMMISSIONERS ESCOBAR AND MUELLER MOTIONED THAT THE COUNCIL ADOPT THE CIRCULATION ELEMENT PLAN AMENDMENT WITH PROPOSED CHANGES AND ELIMINATE THE SAN PEDRO-SPRING REALIGNMENT LANGUAGE AND DEFER DECISIONS REGARDING ANY AMENDMENTS TO THE MONTEREY ROAD AND DOWNTOWN AND ANY WALNUT GROVE EXTENSIONS.

**THE MOTION PASSED (7-0-0-0) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.**

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COMMISSIONERS ESCOBAR AND MUELLER MOTIONED TO RECOMMEND THAT CITY COUNCIL ADOPT AN ORDINANCE DELETING SECTION 18.48.125 REGARDING TRAFFIC LEVELS DUE TO THE INCONSISTENCIES IN THE LANGUAGE IN EXISTING AND PROPOSED DOWNTOWN SERVICE LEVEL STANDARDS.

**THE MOTION PASSED (7-0-0-0) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.**

COMMISSIONERS ESCOBAR AND MONIZ MOTIONED THAT CITY COUNCIL ADOPT THE REVISED GUIDELINES FOR THE PREPARATION OF TRANSPORTATION IMPACT ANALYSIS WHICH WILL INCORPORATE UPDATED LEVELS OF SERVICE AND DEFINITIONS OF STANDARDS.

**THE MOTION PASSED (7-0-0-0) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.**

**3)ZONING CODE
AMENDMENT,
ZA-09-04: CITY
OF MORGAN
HILL PROPOSED
AMENDMENTS
OF CHAPTER
18.43, SEISMIC
COMBINING
DISTRICT, AND
CHAPTER 18.45,
GEOLOGIC
COMBINING
DISTRICT:**

Amendments are proposed in order to update the seismic and geologic regulations of the City to better reflect State law and to clarify city standards applicable in areas subject to seismic and geologic hazards. Negative Declaration.

Previsich presented her staff report and stated that there are recent revisions to the proposed ordinances recommended by Mr. Jim Baker who is an Engineering Geologist and who the City is now hiring as an expert.

Mueller: What is the penalty if we delay in deciding this?

Previsich: This is my last meeting and I won't be available after this. It would then fall to the City Attorney.

Mueller: I would like the chance to read the Supplemental Report and additional refinements of the proposed ordinance first. I have a problem voting on a version that I haven't had a chance to read.

Tanda opened Agenda Item 3 to public hearing. With no one in attendance wishing to speak, the item was continued for two weeks.

COMMISSIONERS MUELLER AND ESCOBAR MOTIONED TO CONTINUE AGENDA ITEM NO. 3 UNTIL THE FEBRUARY 23RD MEETING.

**THE MOTION PASSED (7-0-0-0) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSENT: NONE.**

**4)ZONING
AMENDMENT,
ZA-09-12: CITY OF
MORGAN HILL**

Amendment to Chapters 18.02 and 18.74 of the Morgan Hill Municipal Code, amending the public notice and public hearing requirement for design permits and major modification of design permits, and amending Chapter 18.54 of the Municipal Code, eliminating the requirement for a temporary use permit for

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ZONING **TEXT** model home complexes for residential subdivisions.
AMENDMENTS:

Rowe presented his staff report with a recommendation to make the changes as outlined in Exhibit A. The Community Development Director would have the discretion to conduct a public hearing based on the significance of the project, such as plans for a shopping center, a major residential development, or important downtown projects.

Tanda opened and closed Agenda Item No. 4 to public hearing.

COMMISSIONERS MUELLER AND ESCOBAR MOTIONED TO APPROVE THE ZONING TEXT AMENDMENT.

**THE MOTION PASSED (7-0-0-0) WITH THE FOLLOWING VOTE:
AYES: UNANIMOUS; NOES: NONE; ABSTAIN: NONE; ABSTAIN: NONE;
ABSENT: NONE.**

**ANNOUNCEMENTS/
COMMISSIONER
IDENTIFIED ISSUES**

Mueller: Council continued the Monterey-Dynasty issue. Was there something received that was different from the previous letter?

Rowe: Yes, there was a letter from applicant's counsel.

Kathy Molloy Previsich announced that she has accepted the position of Community Development Director for the County of Santa Cruz. She will be starting there the first of March.

**CITY COUNCIL
REPORTS**

None.

ADJOURNMENT

Noting that there was no further business for the Planning Commission at this meeting, Chair Tanda adjourned the meeting at 10:52 p.m.

MINUTES RECORDED AND TRANSCRIBED BY:

ELIZABETH BASSETT, Development Services Technician